IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 15960 of 2005

Between:

K.Venkata Reddy S/o.K.Bal Reddy
P.M.High School Penigunta, R/o.Renigunta Chittoor District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, rep by its Secretary, School

Education, Secretariat, Hyderabad.
2 Director of School Education, Nampally, Hyderabad.
3 The District Education Officer, Chittoor District
4 The Correspondent, P.M. High School, Renigunta, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not implementing the proceedings of Respondent No.2 Rc.No.2409/C 3-4/2004 dt.18.1.2005 and not appointing the senior most and eligible teacher the petitioner herein as the incharge Head Master to P.M. High School Renigunta, Chittoor District as arbitrary, illegal discriminatory and consequently declare that the petitioner is the most eligible person for the post of incharge Head Master in P.M. High School, Renigunta, Chittoor District.

Counsel for the Petitioner: MR.C.M.R.VELU

Counsel for the Respondents 1 to 3: GP FOR EDUCATION

Counsel for the Respondent No.4: None appeared.

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner apprehending that his case may not be considered for appointing him as a Head Master either incharge or otherwise in terms of the proceedings of the Director of School Education-the second respondent herein dated 18-01-2005 where it was clarified that even senior most qualified persons in the category of Language Pandits Grade-I may also be placed as incharge or full additional charge to the post of Head Master Grade-II of the High Schools.

2. According to the petitioner, he exposed the illegalities committed by the Correspondent and even filed a writ petition for taking action against the Correspondent and the same person is continuing as a Correspondent of the 4th respondent School, therefore, there is every possibility of influencing the third respondent by the Correspondent in passing appropriate orders including the incharge arrangements as to the post of Head Master. According to the petitioner, the present incumbent who is also an incharge Principal of the 4th respondent School is retiring on 31-07-2005 and therefore, there is a need for making alternative arrangement by appointing incharge Head Master with effect from 01-08-2005 onwards. Therefore, the petitioner sought for appropriate directions to the third respondent to consider the claim of the petitioner.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents 1 to 3.

4. Without going into the merits of the allegations made by the petitioner against the Correspondent of the 4th respondent School, the writ petition is disposed of

directing the third respondent to consider the claim of the petitioner who is stated to be the senior most Language Pandit Grade-I for being appointed as an incharge Head Master or full additional charge Head Master Grade-II of the 4th respondent School in accordance with law.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

21st July, 2005

SKM

Copy to:

1 The Secretary, Government of Andhra Pradesh, School Education, Secretariat, Hyderabad.

2 The Director of School Education, Nampally, Hyderabad.

3 The District Education Officer, Chittoor District

4 Two C.Cs. to G.P. for Education, High Court Buildings, High Court of A.P., Hyderabad (OUT)

5 Two C.D. Copies.